

IC 33-33-10

Chapter 10. Clark County

IC 33-33-10-1

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-2

Appointment; magistrates

Sec. 2. (a) Clark County constitutes the fourth judicial circuit.

(b) The judges of the Clark circuit court may jointly appoint two (2) full-time magistrates under IC 33-23-5 to serve the circuit court.

(c) A magistrate continues in office until removed by the judges of the Clark circuit court.

As added by P.L.98-2004, SEC.12. Amended by P.L.234-2007, SEC.215; P.L.201-2011, SEC.19.

IC 33-33-10-2.5

Judges; jurisdiction; dockets

Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with four (4) judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, and No. 4. Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

As added by P.L.201-2011, SEC.35.

IC 33-33-10-3

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-4

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-5

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-6

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-7

Sessions; operation and maintenance

Sec. 7. (a) Each division of the circuit court of Clark County shall hold its sessions at the courthouse of the county, or at other convenient places as the circuit court designates in the county. The county commissioners shall provide suitable quarters for each division of the circuit court and each magistrate appointed by the circuit court.

(b) Each year the Clark County fiscal body shall budget the necessary funds to provide for the operation and maintenance of the:

- (1) circuit court, including magistrates appointed by the circuit court; and
- (2) office of the clerk of the circuit court.

As added by P.L.98-2004, SEC.12. Amended by P.L.201-2011, SEC.36.

IC 33-33-10-8

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-9

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-10

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-11

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-12

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-13

Repealed

(Repealed by P.L.201-2011, SEC.115.)

IC 33-33-10-14

Repealed

(Repealed by P.L.118-2007, SEC.38.)

IC 33-33-10-15

Transfer of cases

Sec. 15. (a) A judge of a division of the Clark circuit court may, with the consent of a judge of another division of the circuit court,

transfer any action or proceeding from the judge's division to the other judge's division.

(b) A judge of a city or town court located in Clark County may, with the consent of the judge of a division of the Clark circuit court, transfer to the division of the circuit court any cause of action filed and docketed in the city or town court. All original pleadings and documents and bail bonds filed in the cause of action shall be transferred from the city or town court to the receiving division of the circuit court. The cause of action shall be redocketed in the receiving division of the circuit court and disposed of as if originally filed with the receiving division of the circuit court.

(c) The judge of a division of the Clark circuit court may, with the consent of the judge of another division of the circuit court, sit as a judge of the other division of the circuit court in any matter.

As added by P.L.98-2004, SEC.12. Amended by P.L.201-2011, SEC.37.

IC 33-33-10-16

Board of judges; presiding judge

Sec. 16. (a) The Clark circuit court shall be governed by a board of judges composed of all the circuit court judges. The board of judges shall administer the Clark circuit court for all purposes.

(b) The judges of the circuit court shall select from among themselves a presiding judge of the circuit court. The presiding judge shall be selected for a minimum term of twelve (12) months.

As added by P.L.201-2011, SEC.38.

IC 33-33-10-17

Concerted action by judges; majority rules

Sec. 17. (a) When any action of the entire circuit court is required, including selection of a presiding judge under section 16(b) of this chapter and adoption of rules under section 19 of this chapter, the judges of the circuit court shall act by consensus.

(b) If consensus is not possible under subsection (a), the decision of the majority of the judges controls.

As added by P.L.201-2011, SEC.39.

IC 33-33-10-18

Presiding judge; duties

Sec. 18. In accordance with rules adopted by the board of judges under section 19 of this chapter, the presiding judge shall do the following:

(1) Ensure that the circuit court operates efficiently and judicially under rules adopted by the board of judges.

(2) Upon approval by the board of judges, annually submit to the fiscal body of Clark County a budget for the court, including amounts necessary for:

(A) the operation of the circuit's probation department;

(B) the defense of indigents;

(C) compensating employees of the circuit court; and

- (D) maintaining an adequate law library.
- (3) Upon approval by the board of judges, make the appointments or selections required of a circuit or superior court judge.

As added by P.L.201-2011, SEC.40.

IC 33-33-10-19

Rules

Sec. 19. (a) Before March 15 of each year, the board of judges of the circuit court shall adopt rules to provide for the administration of the circuit court, including rules governing the following:

- (1) Allocation of case load.
- (2) Legal representation for indigents.
- (3) Budgetary matters of the circuit court.
- (4) Operation of the probation department.
- (5) Term of administration of the presiding judge.
- (6) Employment and management of circuit court personnel.
- (7) Cooperative efforts with other courts for establishing and administering shared programs and facilities.

(b) The board of judges of the circuit court shall file with the division of state court administration a copy of the rules adopted under this section.

As added by P.L.201-2011, SEC.41.

IC 33-33-10-20

Court personnel

Sec. 20. (a) Each judge of the circuit court may employ personnel necessary for the proper administration of the judge's docket.

(b) Personnel employed under this section:

- (1) include court reporters, bailiffs, clerical staff, and any additional officers necessary for the proper administration of the circuit court; and
- (2) are subject to the rules concerning employment and management of circuit court personnel adopted by the board of judges under section 19 of this chapter.

As added by P.L.201-2011, SEC.42.

IC 33-33-10-21

Court administrator

Sec. 21. (a) The board of judges of the circuit court shall appoint a court administrator to implement and administer the decisions made by the board of judges.

(b) A circuit court administrator appointed under this section is subject to the rules concerning employment and management of circuit court personnel adopted by the board of judges under section 19 of this chapter.

As added by P.L.201-2011, SEC.43.